

EXCERPTS FROM THE DEPOSITION OF
NII OWURAKA KONEY
TAKEN JULY 14, 2021

1 UNITED STATES DISTRICT COURT
2 FOR THE NORTHERN DISTRICT OF CALIFORNIA
3 SAN FRANCISCO DIVISION

4 IN RE TESLA, INC., Civil Action No.
5 SECURITIES LITIGATION 3:18-cv-04865-EMC
6

7 CONFIDENTIAL

8 Virtual Videotape Zoom Deposition
9 Of Nii Owuraka Koney
10 July 14, 2021
At 10:00 a.m.
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22 Reported by LeShaunda Cass-Byrd, CSR, RPR
23 TSG Job No. 196498
24
25

1 APPEARANCES OF COUNSEL:

2 On behalf of the Witness and Jennison Associates:

3 JENNIFER DELGADO, Esq.
4 Lowenstein Sandler
5 1251 Avenue of the Americas
6 New York, New York 10020

7 On behalf of Plaintiff:

8 NICHOLAS PORRITT, Esq.
9 ELIZABETH TRIPODI, Esq.
10 KATHY AMES, Esq.
11 Levi & Korsinsky
12 1101 30th Street NW
13 Washington, DC 20007

14 On behalf of Tesla:

15 BINGXIN WU, Esq.
16 PATRICK GIBBS, Esq.
17 Cooley
18 3175 Hanover Street
19 Palo Alto, California 94304

20 Also Present:

21 Trisha Von Lanken, Videographer
22 Ruth Zimmerman, Law Clerk
23
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25

1 THE VIDEOGRAPHER: Good morning,
2 counselors. My name is Trisha Vaughn
3 Lincoln, and I'm a certified legal
4 videographer in association with TSG
5 Reporting.

6 Due to the severity of Covid-19 and
7 following the practice of social
8 distancing, I will not be in the same room
9 with the witness. Instead, I will record
10 this videotape deposition remotely. The
11 court reporter, LeShaunda Byrd, also will
12 not be in the same room and will swear the
13 witness remotely.

14 Do all parties stipulate to the
15 validity of this video recording and remote
16 swearing and that it will be admissible in
17 the courtroom as if it had been taken
18 following Rule 30 of the Civil Procedures
19 and the state's rules where this case is
20 pending?

21 Do you all agree?

22 MR. PORRITT: Yes.

23 MR. WU: Yes.

24 THE VIDEOGRAPHER: Thank you. This
25 is the start of media labeled number 1, of

1 the video deposition of Nii Owuraka Koney,
2 in the matter of In Re: Tesla,
3 Incorporated, Securities Litigation, in the
4 United States District Court for the
5 Northern District of California, San
6 Francisco Division, Civil Action No.
7 3:18-CV-04865-EMC.

8 This deposition is being held
9 remotely on Wednesday, July 14th, 2021, at
10 approximately 10:14 a.m.

11 Counsel, will you please introduce
12 yourselves and the parties you represent,
13 after which the court reporter will swear
14 the witness.

15 MR. PORRITT: Nicholas Porritt of the
16 firm Levy & Korsinsky, LLP, on behalf of
17 the plaintiff and the class. With me,
18 Elizabeth Tripodi and Kathy Ames, also of
19 this firm.

20 MR. GIBBS: Patrick Gibbs from Cooley
21 for the defendants, and also with me is
22 Bing Wu of Cooley.

23 MS. DELGADO: Jennifer Fiorica
24 Delgado of Lowenstein Sandler for the
25 witness Mr. Koney and Jennison Associates.

1 Also with me is Ruth Zimmerman, a colleague
2 from Lowenstein.

3 NII OWURAKA KONEY,
4 having been first duly sworn, was examined and
5 testified as follows:

6 [REDACTED]
7 [REDACTED]
8 [REDACTED]
9 [REDACTED]
10 [REDACTED]
11 [REDACTED]
12 [REDACTED]
13 [REDACTED]
14 [REDACTED]
15 [REDACTED]
16 [REDACTED]
17 [REDACTED]
18 [REDACTED]
19 [REDACTED]
20 [REDACTED]
21 [REDACTED]
22 [REDACTED]
23 [REDACTED]
24 [REDACTED]
25 [REDACTED]

DEPOSITION TESTIMONY
FILED UNDER SEAL

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FILED UNDER SEAL

REPORTER'S CERTIFICATE

I, LESHAUNDA CASS-BYRD, CSR No. B-2291, RPR, Registered Professional Reporter, certify that the foregoing proceedings were taken before me at the time and place therein set forth, at which time the witness was put under oath by me;

That the testimony of the witness, the questions propounded, and all objections and statements made at the time of the examination were recorded stenographically by me and were thereafter transcribed;

That the foregoing is a true and correct transcript of my shorthand notes to taken.

I further certify that I am not a relative or employee of any attorney or the parties, nor financially interested in the action.

I declare under penalty of perjury under the laws of North Carolina that the foregoing is true and correct.

Dated this July 27, 2021.

Leshanda Byrd

LESHAUNDA CASS-BYRD, CCR-B-2291, RPR